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Nestlé Purina PetCare Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANK LUCIDO, et al, on behalf of himself
and all others similarly situated,

Plaintiffs,

v.

NESTLÉ PURINA PETCARE COMPANY, a
Missouri corporation; and DOES 1 through 200,
inclusive,

Defendants.

Case No. 4:15-cv-00569-EMC

**STIPULATION FOR DISMISSAL OF
COUNTS 44 AND 45 ONLY BY
PLAINTIFF LANCE CARLSON
PURSUANT TO FED. R. CIV. P.
41(a)(1)(A)(ii)**

1 TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 IT IS HEREBY STIPULATED by Plaintiff Lance Carlson and Defendant Nestlé Purina
3 PetCare Company (“Purina”), by and through their respective counsel, that this Court dismiss
4 Counts 44 and 45 of the Third Amended Complaint only asserted by Lance Carlson against
5 Purina, with prejudice, pursuant to 41(a)(1)(A)(ii).

6 Dated: August 9, 2016

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By /s/ Michael F. Ram
Michael F. Ram
Attorneys for Plaintiffs and Proposed Class

Dated: August 9, 2016

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Keri E. Borders



By: /s/ Keri E. Borders
Keri E. Borders
Attorneys for Defendant Nestlé Purina Petcare Company

ATTESTATION

I, Keri E. Borders, hereby attest, pursuant to N.D. Cal. Local Rule 5-1(i)(3) that agreement to the filing of this document has been obtained from each signatory.

By: /s/ Keri E. Borders
Keri E. Borders
Attorneys for Defendant Nestlé Purina Petcare Company